



**United States Environmental Protection Agency  
One Congress Street, Suite 1100  
Boston, MA 02114-2023**

April 28, 2009

Mr. Richard W. Gates  
Corporate Environmental Programs  
General Electric Company  
159 Plastics Avenue  
Pittsfield, MA 01201

via Electronic and U.S. Mail

Re: Conditional Approval of General Electric's April 14, 2009 submittal titled Newell Street Area II, *Third Addendum to Final Removal Design/Removal Action Work Plan*, GE-Pittsfield/Housatonic River Site

Dear Mr. Gates:

This letter contains the Environmental Protection Agency's (EPA) conditional approval of the above-referenced *Third Addendum to Final Removal Design/Removal Action Work Plan* (the Third Addendum). The Third Addendum is subject to the terms and conditions specified in the Consent Decree (CD) that was entered in U.S. District Court on October 27, 2000.

Pursuant to Paragraph 73 of the CD, EPA, after consultation with the Massachusetts Department of Environmental Protection (MDEP), approves the Third Addendum subject to the following condition.

GE shall initiate the soil removal actions described in the Third Addendum within 45 days of receipt of this letter. GE shall notify EPA if they are unable to obtain access for this work by the property owners within 30 days of receipt of this letter.

EPA reserves all of its rights under the Decree, including but not limited to, the right to perform and/or require additional sampling or response actions, if necessary, to meet the requirements of the Consent Decree. If there is any conflict between the Performance Standards as stated in the Third Addendum and the Performance Standards as stated in the Consent Decree and SOW, the Consent Decree and SOW shall control.

If you have any questions, please contact me at (617) 918-1721.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Fisher", on a light blue background.

Richard Fisher  
GE Facility Project Manager

cc:

Dean Tagliaferro, US EPA  
John Kilborn, US EPA  
Linda Palmieri, Weston Solutions  
Rose Howell, US EPA  
Holly Inglis, USEPA  
M. Gorski, MDEP  
Jane Rothchild, MDEP  
Susan Steenstrup, MDEP  
Mike Backunas, MDEP  
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N. Harper, MA AG  
Public Information Repositories

Mike Carroll, GE  
Rod McLaren, GE  
James Bieke, Goodwin Procter  
William Hines, President, Board of Directors, PEDDA  
Chris Ferry, ASRC  
James Nuss, ARCADIS  
J. Ciampa, SPECTRA  
Dale Young, MA EOEEA  
Mayor James Ruberto, City of Pittsfield  
K.C. Mitkevicius, USACE  
Joseph Schmidl, Weston Solutions  
Pittsfield Commissioner of Public Health